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HOUSE JOINT MEMORIAL 6
49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY
Patricia A. Lundstrom

FOR THE INDIAN AFFAIRS COMMITTEE

A JOINT MEMORIAL
REQUESTING THE CREATION OF A URANIUM MINING TASK FORCE.

WHEREAS, the Grants mineral belt, situated between Gallup and the Pueblo of Laguna in New Mexico, contains one of the world's richest uranium deposits; and

WHEREAS, beginning in the 1950s and 1960s, private companies began extensive exploration, mining and milling activities related to the uranium deposits located in the Grants mineral belt on private, state, federal and tribal lands; and

WHEREAS, these activities continued through the 1990s, resulting in the mining and milling of more than one hundred seventy-five thousand tons of uranium ore from lands located in New Mexico; and

WHEREAS, unremediated contamination resulting from past

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1 uranium exploration, mining and milling activities constitutes
2 a continuing threat to the health and well-being of residents
3 of northwestern New Mexico; and

4 WHEREAS, state and federal studies have repeatedly shown
5 that surface water, ground water and soils were and remain
6 irreversibly contaminated by past uranium mining and milling
7 activities; and

8 WHEREAS, the recent increase in demand for new sources of
9 uranium and the subsequent spike in the price of uranium has
10 led to increased interest in resuming uranium mining and
11 milling in New Mexico; and

12 WHEREAS, the federal energy information administration has
13 estimated that New Mexico has reserves of at least three
14 hundred forty-one million pounds of yellow cake that can be
15 mined at a cost of fifty dollars (\$50.00) per pound or less;
16 and

17 WHEREAS, over the past three years, the mining and
18 minerals division of the energy, minerals and natural resources
19 department has received twenty applications for the drilling of
20 exploration holes related to uranium mining, eight of which
21 have been approved and eleven of which have been withdrawn or
22 denied, with the remainder still being processed; and

23 WHEREAS, the federal nuclear regulatory commission is
24 processing applications for the construction of new in situ
25 leach mining facilities to be located near Church Rock and

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1 Crownpoint, New Mexico; and

2 WHEREAS, interest has been expressed in reopening the
3 underground uranium mine located on Mount Taylor; and

4 WHEREAS, New Mexico regulates uranium mining and milling
5 activities through the department of environment and the mining
6 and minerals division of the energy, minerals and natural
7 resources department; and

8 WHEREAS, the ground water quality bureau of the water and
9 waste management division of the department of environment is
10 responsible for reviewing and acting on applications for ground
11 water discharge permits, which permits would be required for
12 any facility that may potentially impact ground water,
13 including uranium mining and milling facilities; and

14 WHEREAS, the legislative interim Indian affairs committee
15 at its meeting on October 2, 2008, voted without opposition to
16 form a subcommittee to look into ways in which the New Mexico
17 Mining Act and other state statutes and rules may need to be
18 amended to provide adequate environmental protection in view of
19 modern uranium mining techniques, which request was approved by
20 the New Mexico legislative council; and

21 WHEREAS, the New Mexico Mining Act subcommittee of the
22 Indian affairs committee met on October 30, 2008 and, following
23 a six-hour meeting, voted without opposition to support a
24 memorial and accompanying appropriation request in the 2009
25 legislative session requesting the appointment of a technical

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1 task force during the 2009 interim to continue a study of
2 statutory and regulatory changes that may be necessary to
3 protect New Mexico's natural resources from adverse
4 environmental impacts that could result from the implementation
5 of new uranium mining techniques in New Mexico and to advise
6 the mining and minerals division of the energy, minerals and
7 natural resources department on continuing efforts to clean up
8 abandoned uranium mine sites in New Mexico;

9 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
10 STATE OF NEW MEXICO that the governor be requested to appoint a
11 "uranium mining task force" whose members shall include
12 representatives from the mining and minerals division of the
13 energy, minerals and natural resources department, the water
14 and waste management division of the department of environment,
15 the historic preservation division of the cultural affairs
16 department, the Indian affairs department, the New Mexico
17 bureau of geology and mineral resources at the New Mexico
18 institute of mining and technology, the Navajo Nation, the
19 uranium mining industry, environmental interest groups and a
20 member of the senate and a member of the house of
21 representatives, each of whom represents a district that may be
22 affected by the resumption of uranium mining and milling
23 activities in New Mexico; and

24 BE IT FURTHER RESOLVED that the governor be requested to
25 designate the mining and minerals division of the energy,

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1 minerals and natural resources department to provide
2 administrative support to the uranium mining task force; and

3 BE IT FURTHER RESOLVED that the uranium mining task force
4 be requested to prepare a report to the governor and the
5 legislature that provides information and recommendations
6 regarding: the prospects for the resumption of uranium mining
7 and milling activities in New Mexico, including the location
8 and extent of such activities; the potential adverse impacts,
9 if any, on New Mexico's natural and cultural resources that may
10 result from the resumption of uranium mining and milling
11 activities; the adequacy of New Mexico's current statutes and
12 administrative rules to protect New Mexico's natural and
13 cultural resources from any potential adverse impacts resulting
14 from the resumption of uranium mining and milling activities;
15 and revisions to New Mexico's current statutes and
16 administrative rules that may be necessary to protect New
17 Mexico's natural and cultural resources from any potential
18 adverse impacts resulting from the resumption of uranium mining
19 and milling activities; and

20 BE IT FURTHER RESOLVED that the uranium mining task force
21 present its report to the governor and to the appropriate
22 interim legislative committees by October 1, 2009; and

23 BE IT FURTHER RESOLVED that copies of this memorial be
24 transmitted to the governor, the secretary of energy, minerals
25 and natural resources, the secretary of environment, the

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1 secretary of Indian affairs, the state geologist and the state
2 historic preservation officer.

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